By Sector, By country

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်
မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်
ခွင့်ပြုမိန့်

ခွင့်ပြုမိန့်အမှတ် ၅၆၃/၂၀၁၃ ၂၀၁၃ ခုနှစ်၊ ဖေဖော်ဝါရီလ

ပြည်ထောင်စုသမ္မတ မြန်မာနိုင်ငံတော်နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု ဥပဒေ ပုဒ်မ (၁၃)ပုဒ်မခွဲ(ခ) အရ ဤခွင့်ပြုမိန့်ကို မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်က ထုတ်ပေးလိုက်သည် -

(က) ရင်းနှီးမြှုပ်နှံသူ/ကမကထပြုသူအမည် MR. CHOO YAN HO

(ခ) နိုင်ငံသား MALAYSIAN

(ဂ) နေရပ်လိပ်စာ NO.23(A)TOWER-2 SUBANG BOULOVARD SUBANG JAYA, MALAYSIA

(ဃ) ပင်မအဖွဲ့အစည်းအမည်နှင့်လိပ်စာ STADA VIETNAM JOINT VENTURE CO., LTD.K63/1 NGUYEN THI SOC, MY HOA 2 HAMLET, XUAN THOI DONG WARD, HOC MON DISTRICT, HO CHI MINH CITY, SR VIETNAM

(င) ဖွဲ့စည်းရာအရပ် VIETNAM

(စ) ရင်းနှီးမြှုပ်နှံသည့် လုပ်ငန်းအမျိုးအစား ဆေးဝါးပစ္စည်းများ ထုတ်လုပ်ခြင်းနှင့် ရောင်းချခြင်းလုပ်ငန်း

(ဆ) ရင်းနှီးမြှုပ်နှံသည့်အရပ်ဒေသ(များ) မြေတိုင်းရပ်ကွက်အမှတ်(၂၅)၊ မြေကွက်အမှတ် ၄၅၂ နှင့်၄၅၃ ရွှေလင်ဗန်း စက်မှုဇုန်၊ လှိုင်သာယာမြို့နယ်၊ ရန်ကုန်တိုင်းဒေသကြီး

(ဇ) နိုင်ငံခြားမတည်ငွေရင်း ပမာဏ အမေရိကန်ဒေါ်လာ ၉.၃၉၀သန်း

(ဈ) နိုင်ငံခြားမတည်ငွေရင်းယူဆောင်လာရမည့်ကာလ ကော်မရှင် ခွင့်ပြုမိန့် ရရှိပြီး (၁)နှစ် အတွင်း

(ည) စုစုပေါင်း မတည်ငွေရင်းပမာဏ(ကျပ်) မြန်မာကျပ်ငွေ ၁၂,၅၂၀သန်း

(ဋ) တည်ဆောက်မှုကာလ ၁ နှစ်

(ဌ) ရင်းနှီးမြှုပ်နှံခွင့်ပြုသည့် သက်တမ်း ၅၀နှစ်

(ဍ) ရင်းနှီးမြှုပ်နှံမှုပုံစံ ဖက်စပ်လုပ်ငန်း

(ဎ) မြန်မာနိုင်ငံတွင် ဖွဲ့စည်းမည့် စီးပွားရေး အဖွဲ့အစည်းအမည် STADA MYANMAR JOINT VENTURE CO. LTD.

ဥက္ကဋ္ဌ
မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

The Republic of the Union of Myanmar
The Myanmar Investment Commission

Republic of the Union of Myanmar ★ Myanmar Investment Commission
Sr. No. 2503-B
Dated 22.2.2013

PERMIT

Permit No. 563 /2013 Date 22 February 2013

The Myanmar Investment Commission issues this Permit under Section 13(b) of the Republic of the Union of Myanmar Foreign Investment Law-

(a) Name of Investor/Promoter MR. CHOO YAN HO

(b) Citizenship MALAYSIAN

(c) Address NO.23(A)TOWER-2 SUBANG BOULOVARD SUBANG JAYA, MALAYSIA

(d) Name and Address of principal organization STADA VIETNAM JOINT VENTURE CO., LTD. K63/1 NGUYEN THI SOC, MY HOA 2 HAMLET, XUAN THOI DONG WARD, HOC MON DISTRICT, HO CHI MINH CITY, SR VIETNAM

(e) Place of incorporation VIETNAM

(f) Type of business in which investment is to be MANUFACTURING AND MARKETING OF PHARMACEUTICAL PRODUCTS

(g) Place(s) at which investment is permitted LAND WARD NO. (25), PLOT NO. (452,453,), SHWE LIN PAN-INDUSTRIAL ZONE, HLAING THAR YAR TOWNSHIP,YANGON REGION

(h) Amount of foreign capital US$ 9.390 MILLION

(i) Period for bringing in foreign capital WITHIN (12) MONTHS FROM THE DATE OF ISSUANCE OF PERMIT

(j) Total amount of capital (Kyat) EQUIVALENT IN KYAT OF 12,520 MILLION

(k) Construction period 1 YEAR

(l) Permitted duration of investment 50 YEARS

(m) Form of investment JOINT-VENTURE

(n) Name of the economic organization to be formed in Myanmar STADA MYANMAR JOINT VENTURE CO. LTD.

Chairman

The Myanmar Investment Commission

THE REPUBLIC OF THE UNION OF MYANMAR
MYANMAR INVESTMENT COMMISSION
Building No.(32), Nay Pyi Taw

Our ref : Ya Ka-1/Na-770 /2013(2503-B)
Dated : 27 February 2013

Tel: 067- 406334, 406075
Fax: 95-67-406333

Subject: **Decision of the Myanmar Investment Commission on the Proposal for " Manufacturing and Marketing of Pharmaceutical Products" under the name of " Stada Myanmar Joint Venture Co.,Ltd."**

Reference: Stada Myanmar Joint Venture Co. Ltd. Letter dated (3.10.2012)

1. The Myanmar Investment Commission, at its meeting (8/2013) held on(20-2-2013) had approved the proposal for investment in "Manufacturing and Marketing of Pharmaceutical Products"under the name of "Stada Myanmar Joint Venture Co. Ltd."submitted as a joint venture between U Tun Kyaing@ U Zaw Lay (20%), U Moe Zaw(10%) and U Thant Baw Oo (10%)of the Republic of the Union of Myanmar and Stada-Vietnam Joint Venture Co., Ltd."(60%) of Vietnam.

2. Hence, the "Permit" is herewith issued in accordance with Chapter VII, Section 13(b) of the Republic of the Union of Myanmar Foreign Investment Law and Chapter VIII, Rule 48 of the Foreign Investment Rules relating to the said Law. Terms and conditions to the "Permit" are stated in the following paragraphs.

3. The permitted duration of the project shall be 50 (Fifty)years for commencing from the date of signing of the Lease Agreement for land and extendable (10)years two (2) times period by mutual agreement between U Tun Kyaing@U Zaw Lay and Stada Myanmar Joint Venture Co. Ltd. At the end of the Lease Agreement for land, Stada Myanmar Joint Venture Co. Ltd. shall transfer the leased land and buildings (immovable properties) to the lessor within three months in good condition, ground damages having been refilled and repaired.

4. The annual rent for the land shall be US $ 93,000 (United States Dollar Ninety-three thousand only) and calculated at the rate of US$ 6.00 per square

meter per year of the Land measuring (15,418.54) square meters (3.81 acre). The rate of rent shall be revised in view of prevailing land lease rates after 5 (Five) years period and increase of the rent shall be not more than 15%of the preceding annual rent.

5. In issuing this "Permit," the Commission has granted, the followings, exemptions and reliefs as per Section 27(a)(h)(i) and (k) of the Republic of the Union of Myanmar Foreign Investment Law. Other exemptions and reliefs under Section 27 shall have to be applied upon the actual performance of the project;

(a) As per section-27(a), income tax exemption for a period on five consecutive years including the year of commencement on commercial operation;

(b) As per section-27 (h), exemption or relief from customs duty or other internal taxes or both on machineries, equipments, instruments, machinery components, spareparts and materials used in the business which are imported as they are actually required for used during the period of construction of business;

(c) As per section-27(i), exemption or relief from customs duty or other internal taxes or both on raw materials imported for production for the first three-year after the completion of construction of business;

(d) As per section-27(k), exemption or relief from commercial tax on the goods produced for export.

6. U Tun Kyaing@U Zaw Lay ,U Moe Zaw and U Thant Baw Oo shall have to sign the Joint Venture Agreement with Stada-Vietnam Joint Venture Co., Ltd. and U Tun Kyaing@U Zaw Lay shall have to sign the Lease Agreement for land with Stada Myanmar Joint Venture Co. Ltd. After signing the Agreements, each of (5) copies shall have to be forwarded to the Commission.

7. Stada Myanmar Joint Venture Co. Ltd. in consultation with the Department of Company Registration, Directorate of Investment and Company Administration shall have to be registered. After registration, (5) copies each of Certificate of Incorporation and Memorandum and Articles of Association shall have to be forwarded to the Commission.

8. Stada Myanmar Joint Venture Co. Ltd. shall use its best efforts for timely realization of works stated in the Proposal. If none of such works has been commenced within one year from the date of issue of this "Permit" it shall become null and void.

9. Stada Myanmar Joint Venture Co. Ltd. has to abide by Chapter X, Rules 56 and 57 of the Foreign Investment Rules for construction period.

10. As per Chapter X, Rule 59 of the Foreign Investment Rules, extension of construction period shall not be granted more than once except it is due to unavoidable events such as natural disaster, emergency political instability, roits, demonstrations, State emergency, arm resistance and war.

11. As per Chapter X ,Rule 61 of the Foreign Investment Rules, if the construction activities are not completed during the permitted construction period or extended period,the Commission may invoke the investment Permit.In this regard, the Commission shall not be liable to compensate in any way or indemnify the investor.

12. Stada Myanmar Joint Venture Co. Ltd. must apply for Drug Manufacturer Licence according to the National Drug Law. The pharmaceutical manufacturing must be complied with Good Manufacturing Practice. The pharmaceuticals/drugs produced by the factory must be registered at Department of Health, Ministry of Health before marketing.

13. For exportation of Pharmaceutical Products , Stada Myanmar Joint Venture Co. Ltd. has to apply export recommendation from Ministry of Health, which is necessary for Export Licence issued from Ministry of Commerce and also apply for Health Certificate from Ministry of Health for shipment consignment.

14. The commercial date of operation shall be reported to the Commission.

15. Stada Myanmar Joint Venture Co. Ltd. shall endeavour to meet the targets for production and export stated in the proposal as the minimum target.

16. The Commission approves periodical appointments of foreign experts and technicians from abroad as per proposal in accordance with Chapter XI section 24 of the Republic of the Union of Myanmar Foreign Investment Law and the investor has to follow the exisiting Labour Laws for the recruitment of

staff and labour in accordance with Chapter XIII Rule 81 of the Foreign Investment Rules.

17. In order to evaluate foreign capital and for the purpose of its registration in accordance with the provisions under Chapter 15 section 37 of the Republic of the Union of Myanmar Foreign Investment Law, it is compulsory to report as early as possible in the following manner:-

(a) the amount of foreign currency brought into Myanmar, attached with the necessary documents issued by the respective bank where the account is opened and defined under Chapter XI Rules 133 and 134 of the Foreign Investment Rules;

(b) the detailed lists of the type and value of foreign capital defined under Section-2(i) of the said Law, other than foreign currency.

18. Stada Myanmar Joint Venture Co. Ltd. brings in foreign capital defined under Section-2(i) of the said Law, other than foreign currency in the manner stated in paragraph 17(b) mentioned above, the Inspection Certificate endorsed and issued by an internationally recognized Inspection Firm with regard to quantity, quality and price of imported materials shall have to be attached.

19. Stada Myanmar Joint Venture Co. Ltd. has the right to make account transfer and expend the foreign currency from his bank account in accordance with Chapter XI Rule 137 and for transfer of local currency generated from the business to the local currency account opened at the bank by a citizen or a citizen or a citizen-owned business in the State and right to transfer back the equivalent amount of foreign currency from the foreign currency bank account of citizen or citizen-owned business by submitting the sufficient document in accordance with Chapter XVII, Rule149 of the Foreign Investment Rules.

20. Stada Myanmar Joint Venture Co. Ltd. shall report to the Commission for any alteration in the physical and financial plan of the project. Cost over run, over and above the investment amount pledged in both local and foreign currency shall have to be reported as early as possible.

21. Stada Myanmar Joint Venture Co. Ltd. Limited shall be responsible for the preservation of the environment at and around the area of the project site. In addition to this, it shall carry out as per comments made by Ministry of Environmental Conservation and Forestry in which to conduct Initial Environmental Examination (IEE) process and an Environmental Management Plan (EMP) which describe the measure to be taken for preventing, mitigation and monitoring significant environmental impacts resulting from the implementation and operation of proposed project or business or activity has to be prepared and submitted, and to perform activities in accordance with this EMP.

22. Payment of principal and interest of the loan(if any) as well as payment for import of raw materials and spare parts etc. shall only be made out of the official foreign exchange earnings of Stada Myanmar Joint Venture Co. Ltd.

23. Stada Myanmar Joint Venture Co. Ltd. in consultation with Myanma Insurance, shall effect such types of insurance defined under Chapter XII, Rules 77 and 78 of the Foreign Investment Rules.

(Soe Thane)
Chairman

Stada Myanmar Joint Venture Co. Ltd.

cc:
1. Office of the Union Government of the Republic of the Union of Myanmar
2. Office of the Yangon Region Government
3. Ministry of National Planning and Economic Development
4. Ministry of Finance and Revenue
5. Ministry of Commerce
6. Ministry of Industry
7. Ministry of Foreign Affairs
8. Ministry of Home Affairs
9. Ministry of Immigration and Population

10. Ministry of Labour, Employment and Social Security
11. Ministry of Electric Power
12. Ministry of Industry
13. Ministry of Health
14. Director General, Directorate of Investment and Company Administration
15. Director General, Customs Department
16. Director General, Internal Revenue Department
17. Managing Director, Myanma Foreign Trade Bank
18. Managing Director, Myanma Investment and Commercial Bank
19. Managing Director, Myanma Insurance
20. Managing Director, Myanma Electric Power Enterprise
21. Director General, Directorate of Trade
22. Director General, Immigration and National Registration Department
23. Director General, Directorate of Labour
24. Director General, Directorate of Health
25. Chairman, Republic of the Union of Myanmar Federation of Chambers of Commerce and Industry(UMFCCI)